



DEPARTMENT OF HEALTH & HUMAN SERVICES

PUBLIC HEALTH SERVICE  
NATIONAL INSTITUTES OF HEALTH

FOR US POSTAL SERVICE DELIVERY:

Office of Laboratory Animal Welfare  
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Bethesda, Maryland 20892-6910  
Home Page: <http://grants.nih.gov/grants/olaw/olaw.htm>

FOR EXPRESS MAIL:

Office of Laboratory Animal Welfare  
6700B Rockledge Drive, Suite 2500  
Bethesda, Maryland 20817  
Telephone: (301) 496-7163  
Facsimile: (301) 480-3387

March 1, 2022

Re: Animal Welfare Assurance  
A3208-01 [OLAW Case 11]

Daniel Sui, Ph.D.  
Vice President for Research and Innovation  
Virginia Polytechnic Institute and  
State University – Blacksburg  
(b) (4) Burruss Hall, (Mail Code 0244)  
Blacksburg, VA 24061-0244

Dear Dr. Sui,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your January 31, 2022 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at the Virginia Polytechnic Institute and State University (Virginia Tech) following up on an initial January 7, 2022 notification by telephone.

According to the information provided, this Office understands that the Virginia Tech Animal Care and Use Committee (ACUC) determined that instances of noncompliance occurred with respect to: failure to adhere to the IACUC-approved protocol. The final report states on December 23, 2021, a bird was found dead after being mistakenly returned to its cage without food or water rather than euthanized at the end of the IACUC-approved protocol. The matter was discussed at the January 20, 2022 meeting.

It is stated the Principal Investigator (PI) possessed the appropriate, active permits for work with wild-caught species of birds and the cages were labeled with the bird ID on the cage card. The IACUC accepted the following corrective actions outlined by the PI:

- A mandatory post-sampling check for birds in every room to ensure that all birds are in their cages, or that all birds have been removed from their cages and taken to be euthanized.
- No removal of any food or water dishes from a cage until it has been confirmed that the bird has been removed and that the cage is empty.
- The addition of a column to all future experimental data sheets for the last sampling period that will be checked off when a bird is euthanized.

Per the report, the IACUC distributed a letter as an educational reminder for failure to euthanize the bird per the IACUC-approved protocol and reminded the PI in the future to adhere to the corrective action plan as outlined. It is understood the committee also reminded the PI to document the training of all lab members on these corrective actions prior to the start of the next study.

It is noted that this research is supported by NIH funding. Based on its assessment of this explanation, OLAW understands that Virginia Tech has implemented appropriate measures to correct and prevent recurrences of these problems and is now compliant with provisions of the PHS Policy.

We appreciate being informed of these matters and find no cause for further action by this Office.

Page 2 – Dr. Sui  
March 1, 2022  
OLAW Case A3208-11

Sincerely,

**Jacquelyn  
T. Tubbs -S**

Digitally signed by  
Jacquelyn T. Tubbs -S  
Date: 2022.03.01  
15:32:42 -05'00'

Jacquelyn Tubbs, DVM, DACLAM  
Senior Animal Welfare Program Specialist  
Division of Compliance Oversight  
Office of Laboratory Animal Welfare

cc: IACUC Contact



**RESEARCH AND INNOVATION**  
VIRGINIA TECH

A3208-1I

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P: (540) 231-6077 F: (540) 231-4384  
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January 31, 2022

Brent Morse, DVM  
Director, Divisions of Compliance Oversight  
Office of Laboratory Animal Welfare  
National Institutes of Health  
Rockledge 1, Suite 360  
6705 Rockledge Drive  
Bethesda, MD 20892

Final report regarding adverse event at Virginia Tech [Assurance #A-3208-01]

Dear Dr. Morse:

Virginia Tech, in accordance with Assurance A-3208-01 and PHS Policy IV.F.3., provides this report of an adverse event regarding an incident of the death of a bird on an IACUC approved protocol. This incident was initially reported to Dr. Axel Wolff on January 7, 2022 after verification of NIH funding.

On December 23, 2021, the IACUC office was notified that a bird was found dead after mistakenly being returned to its cage without food or water rather than euthanized at the end of an IACUC approved protocol. The IACUC discussed the incident at the January 20, 2022 convened meeting, approved corrective steps taken, and requested additional corrective actions from the PI:

1. The PI had appropriate, active permits for the work with wild-caught species of birds in place at the time of the adverse event. Cages were labeled with the bird ID on a cage card.
2. Corrective actions outlined by the PI and accepted by the IACUC include (1) a mandatory post-sampling check for birds in every room to ensure that all birds are in their cages, or that all birds have been removed from their cages and taken to be euthanized, (2) not remove any food or water dishes from a cage until it has been confirmed that the bird has been removed and that the cage is empty, and (3) add a column to all future experimental data sheets for the last sampling period that will be checked off when a bird is euthanized
3. The IACUC issued an educational reminder letter for failing to euthanize the bird per the approved protocol and reminded the PI in the future to adhere to the corrective plan outlined. The IACUC additionally reminded the PI to document the training of all lab members on these corrective actions prior to the beginning of the next study

The funding source for this bird is the NIH, NIGMS (R01GM144972A). Per PHS requirement, the PI has been informed that she must work with her grant administrator to determine any funding related actions that must be taken.

Virginia Tech is committed to protecting the welfare of animals used in research and appreciates the guidance and assistance provided by OLAW in this regard. Should you have any questions regarding this report, please contact (b) (6)

Thank you for your consideration of this matter.

Sincerely,

(b) (6)

Dr. Daniel Sui  
Senior Vice President for Research and Innovation  
Institutional Official  
Virginia Tech

**Wolff, Axel (NIH/OD) [E]**

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**From:** OLAW Division of Compliance Oversight (NIH/OD)  
**Sent:** Wednesday, February 2, 2022 9:37 AM  
**To:** iacucpam  
**Cc:** OLAW Division of Compliance Oversight (NIH/OD)  
**Subject:** RE: Final Report on Adverse Event

Thank you for this report, (b) (6) We will send a response soon.

Axel Wolff, M.S., D.V.M.  
Deputy Director, OLAW

**From:** iacucpam <iacucpam@vt.edu>  
**Sent:** Wednesday, February 2, 2022 9:22 AM  
**To:** OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>  
**Cc:** (b) (6) iacucpam <iacucpam@vt.edu>  
**Subject:** [EXTERNAL] Final Report on Adverse Event

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and are confident the content is safe.

Hello Dr. Morse

This is a follow-up to my phone conversation with Dr. Wolff on January 7, 2022. Please find a letter attached from our IO, which contains information regarding the IACUC's decision. Please confirm receipt.

Thank you,

(b) (6)